

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17048 of 2021

Arising Out of PS. Case No.-681 Year-2020 Thana- SONEPUR District- Saran

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GUDDU KUMAR @ GUDDU KUMAR SINGH S/o Nawal Kishore Singh
Resident of Village- Chausiya (Bakarpur), P.S.- Sonepur, District- Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 24-03-2022 Heard Mr. Prabhakar Singh, learned Advocate for the

petitioner and the learned APP.

The petitioner seeks bail in anticipation of his arrest in
connection with Sonepur P.S. Case No. 681 of 2020 dated
14.09.2020 instituted for the offences under Sections 304(B)
and 34 of the Indian Penal Code.

The petitioner is the husband of the deceased. The
accusation against the petitioner and his other family members
is of having tortured the deceased and also of hanging her. The
post-mortem report reveals that the deceased died because of
asphyxia as a result of hanging.

Learned counsel for the petitioner has submitted that
the deceased inflicted harm upon herself which would be



evident from the fact that the door of the room where she was found hanging was forcibly broken open. The accusation against the petitioner and his other family members is only based on suspicion. The informant after having come to know of the death of the deceased lost all interest in the family of the petitioner and therefore the entire family members have been made accused in this case without verifying the facts in detail.

Be that as it may, regard being had to the nature of accusation against the petitioner and his status vis-a-vis the deceased, I am not inclined to grant anticipatory bail to him.

Accordingly, the prayer for anticipatory bail is rejected.

Should the petitioner surrender before the court below and seek bail, all the grounds noted above shall be taken into account and an order shall be passed without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

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